IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 20528 of 1994

Between:

Gudi Krishna Reddy S/o. Subba Reddy
H.No.17/406 Chakali Veedhi
Nellore Nellore Dist

..... PETITIONER

AND

1 The Superintending Engineer (R&B), Regular Circle, Nellore
2 The Executive Engineer R&B
Gudur Division Gudur
Nellore Dist

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, particularly, one in the nature of writ of mandamus declaring the action of the respondents herein in not considering the case of the petitioner for re-engagement as NMR Driver in the respondents department as illegal, improper and consequently direct the respondents to re-engage the petitioner as Driver on NMR Basis in the R&B Department forthwith and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.MURALIDHAR REDDY

Counsel for the Respondent No.: GP FOR ROADS & BUILDINGS

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a direction to the respondents – the Superintending Engineer, R & B, Regular Circle, Nellore and the Executive Engineer, (R&B), Gudur Division, Gudur to re-engage the petitioner as driver on N.M.R. basis and the petitioner has necessarily to approach the A.P. Administrative Tribunal before invoking the jurisdiction of this Court under Article 226 of the Constitution of India in view of the judgment of the Supreme Court of India in **L.CHANDRAKUMAR v. UNION OF INDIA.**

This writ petition is accordingly dismissed. This order shall not preclude the petitioner from approaching the Andhra Pradesh Administrative Tribunal, if he so chooses, for appropriate orders.

The writ petition is dismissed subject to the aforesaid observation. No costs.

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30-6-2005

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To:

1 The Superintending Engineer (R&B), Regular Circle, Nellore
2 The Executive Engineer R&B
Gudur Division Gudur
Nellore Dist

3. Two C.Cs. to the G.P. for Roads & Buildings, High Court Buildings, Hyderabad

4. Two C.D copies